
**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on January 31, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Mara L. Rodriguez

Application Number	: 10/660,453	Confirmation No. 4926
Filing Date	: September 11, 2003	
Inventor(s)	: Lutz Biedermann, et al.	
Title	: SPACE KEEPER FOR VERTEBRAE OR INTERVERTEBRAL DISKS	
Group Art Unit	: 3738	
Examiner Name	: David H. Willse	
Docket No.	: 58780/B884	Date: January 31, 2008

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. X Pending (no review proceedings active)
- (1) X An Action was mailed by the Office on October 31, 2007, as to which no appeal under 37 CFR § 1.191 has been filed and
- a response under 37 CFR § 1.116 was mailed on
- via Express Mail
- with certificate of mailing under 37 CFR § 1.8
- X that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2) Allowed: the Notice of Allowance was mailed by the Office on
- the Issue Fee has not been paid
- the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on
- b. Pending (with review proceeding active)

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An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on
☐ Consider the arguments in the Appeal or Reply Brief previously filed on
☐ Other:

b. Enclosed

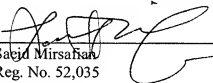
- ☒ Amendment/Reply
☐ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement
☐ Documents under 37 CFR § 1.48
☐ Petition for Extension of Time
☐ Other:

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
Sajid Mirsa
Reg. No. 52,035
626/795-9900

SM/mr

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/660,453

PART I — BASIC FEE			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$810.00

PART II — ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	13	*20	0	x \$25.00	00 x \$50.00	.00
Independent Claims	2	**3	0	x \$105.00	00 x \$210.00	.00
First Presentation of Multiple Dependent Claim				\$185.00	\$370.00	.00
TOTAL CLAIMS FEE						\$.00
List Independent Claims: 1, 12						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*

- a. Amount (total from Fee Calculation Sheet)

Commissioner is hereby authorized to charge Deposit Account 03-1728 in the amount of \$810.00 to cover the fees listed on the Fee Calculation Sheet above.

- b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account 03-1728.